

ESTTA Tracking number: **ESTTA453467**

Filing date: **01/27/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91194115
Party	Defendant Robert Marx
Correspondence Address	CARL E. CHRISTENSEN CHRISTENSEN LAW OFFICE PLLC 800 Washington Avenue North Suite 704 MINNEAPOLIS, MN 55401 UNITED STATES carl@clawoffice.com
Submission	Other Motions/Papers
Filer's Name	Carl E. Christensen
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Signature	/Carl E. Christensen/
Date	01/27/2012
Attachments	Marx Withdrawal.pdf (3 pages)(81986 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No.: 77832433

Mark: ZAFRIKA

Published for Opposition in the *Official Gazette*: February 16, 2010

Latarie (Pty) Limited, Opposer/Counterclaim-registrant, v. Robert Marx, Applicant/Counterclaim-petitioner.	Opposition No. 91194115
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MOTION TO WITHDRAW

Carl E. Christensen moves, pursuant to TBMP §§ 116.03, 116.04, 116.05 and 37 C.F.R. §§ 10.40, and Trademark Rule 2.19(b) to withdraw as counsel for Applicant/Counterclaim-petitioner Robert Marx (“Marx”) in the above-captioned Opposition proceeding brought by Opposer, Latarie (Pty) Limited, and as grounds states as follows:

1. I received service of Opposer’s discovery, on October 19, 2011. Opposer granted an extension to respond until December 19, 2011. Opposer granted another extension until December 27, 2011 to respond to its discovery.

2. Marx has not continued to cooperated with me related to producing discovery, ceasing to respond to email communications on December 28, 2011, December 30, 2011, January 3, 2012, January 12, 2012, January 18, 2012, and January 19, 2012 regarding discovery and not responding to several phone calls in the same period.

3. To date, Marx still has not responded to my requests to complete and produce discovery to Opposer.

4. On January 20, 2012, I couriered a letter to Marx at his place of business instructing Marx to contact me immediately to discuss the overdue discovery responses and informing him that if I did not hear from him, I would seek to withdraw from representation.

5. On January 25, 2012 I received a communication from Marx informing me that he did not oppose my withdrawal.

6. I have notified Marx of my desire to withdraw and have allowed time for Marx to employ another attorney. Marx has knowingly and freely assented to termination of the employment.

7. All papers and property that related to the proceeding and to which Marx is entitled have been delivered to the client and a copy of this request has been served upon Marx and upon every other party to this proceeding.

Applicant/Counterclaim-petitioner can be served or notified of matters relating to this action at the following address and phone number:

Robert Marx
PO BOX 643
26643 Fallbrook Avenue (Bay H)
Wyoming, MN 55092
(651) 247-3267

CHRISTENSEN LAW OFFICE PLLC

Dated: January 27, 2012

By: /s/ Carl E Christensen
Carl E. Christensen (MN Bar # 0350412)
800 Washington Avenue, Suite 704
Minneapolis, Minnesota 55401
(612) 823-4427
(612) 823-4777 fax
carl@clawoffice.com

Certificate of Service

The undersigned hereby certifies that he has this day served a true and correct copy of this Notice of Withdrawal, along with any exhibits thereto, upon the Opposer, as listed below, by mailing the same via electronic mail to:

Michael Culver, Esq.
Culver@mwzb.com

The undersigned also certifies that he has this day served a true and correct copy of the foregoing document, along with any exhibits thereto, upon Opposer and Applicant by First Class Mail to:

Michael Culver, Esq.
Millen, White, Zelano & Branigan, P.C.
2200 Clarendon Blvd., Suite 1400
Arlington Courthouse Plaza I
Arlington, VA 22201

Robert Marx
PO BOX 643
26643 Fallbrook Avenue (Bay H)
Wyoming, MN 55092

SIGNED under the pains and penalties of perjury.

CHRISTENSEN LAW OFFICE PLLC

Dated: January 27, 2012

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